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July 24, 2013

**VIA ECF**

The Honorable James L. Robart  
United States District Court  
Western District of Washington  
700 Stewart Street, Suite 14128  
Seattle, WA 98101-9906

Re: *Microsoft Corp. v. Motorola, Inc., et al.*, No. 10-cv-1823-JLR

Dear Judge Robart:

We are writing to make sure Microsoft's proposed allocation of argument assignments among three lawyers for the *Daubert* and Summary Judgment motions scheduled for next week will be acceptable to the Court. Motorola's counsel has indicated it has no objection to the proposed approach.

The division of labor we propose is partially intended to align related components of different motions. The lawyers arguing will be Messrs. Pritikin, Cederoth and Harrigan, with the proposed division to be as follows:

Mr. Harrigan:

- (1) Microsoft's Motion to Exclude Brad Keller;
- (2) Motorola's Motion to Exclude Todd Menenberg;
- (3) Microsoft's Motion for Partial Summary Judgment; and
- (4) Motorola's Motion for Summary Judgment (as to Microsoft's claim to attorneys' fees as damages).

Mr. Pritikin:

- (1) Microsoft's Motion to Exclude Richard Holleman and Gregory Leonard; and
- (2) Motorola's Summary Judgment Motion on (a) Microsoft's claim that Motorola breached the SSOs' patent policies by seeking injunctions, (b) the *Noerr-Pennington* doctrine, and (c) Microsoft's claims regarding Marvell and MPEG LA.

Mr. Cederoth:

- (1) Microsoft's Motion to Exclude Maximilian Haedicke; and
- (2) Motorola's Motion to Exclude Theo Bodewig.

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Please let us know if this approach is acceptable or which modifications we should make.  
Thank you for your attention to this request.

Very truly yours,

CALFO HARRIGAN LEYH EAKES LLP



Arthur W. Harrigan, Jr.

AWH:fcf  
cc: All Counsel (via ECF)